



"RESPONSE UNDER 37 CFR 1.1
EXPEDITED PROCEDURE EXAMINING
GROUP 1621"



Docket No.: 197759US0CONT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

ATTORNEYS AT LAW

STEPHEN G. BAXTER
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RE: Application Serial No.: 09/708,006
Applicants: Akihiro KISHISHITA, et al.
Filing Date: November 8, 2000
For: NOVEL ASPARTAME DERIVATIVE CRYSTAL
AND PROCESS FOR PRODUCING THE SAME
Group Art Unit: 1621
Examiner: Zucker

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TECH CENTER 1600/2900

SIR:

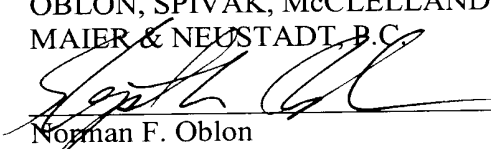
Attached hereto for filing are the following papers:

**Response and Request for Reconsideration,
Declaration Under 37 C.F. R. §1.132 (Tatsuki KASHIWAGI, executed, 8 pages)**

Our check in the amount of -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Norman F. Oblon

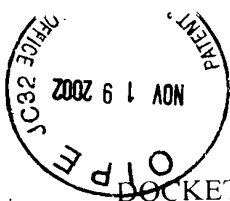
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"RESPONSE UNDER 37 CFR 1.116-
EXPEDITED PROCEDURE EXAMINING
GROUP 1621"

DOCKET NO.: 197759US0CONT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

AKIHIRO KISHISHITA ET AL

SERIAL NO. : 09/708,006

FILED: NOVEMBER 8, 2000

FOR: NOVEL ASPARTAME
DERIVATIVE CRYSTAL AND
PROCESS FOR PRODUCING
THE SAME

:

: EXAMINER: ZUCKER

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: GROUP ART UNIT: 1621

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[Signature]

RESPONSE AND REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Official Action dated May 31, 2002, Applicants respectfully request reconsideration of the above-identified application in view of the following remarks.

REMARKS

Present Claims 1 and 14 relate to novel crystal form of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester (Neotame), which exhibit a characteristic X-ray diffraction peak at a diffraction angle, 2θ , measured using $\text{CuK}\alpha$ rays of about 7.1° (referred to hereinafter as "C-type crystals" or the "C-type crystal form").